

1 BILL NO. R-84-11-41

2 RESOLUTION NO. R-

145-84

3 A RESOLUTION FINDING, DETERMINING  
4 AND RATIFYING AN INDUCEMENT RESOLUTION  
5 OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION  
6 AUTHORIZING THE ISSUANCE AND SALE OF  
7 \$630,000.00 ECONOMIC REVENUE BONDS OF THE  
8 CITY OF FORT WAYNE, INDIANA  
9 FOR THE PURPOSE OF INDUCING THE APPLICANT  
10 ENGLE ASSOCIATES, A GENERAL PARTNERSHIP  
11 TO PROCEED WITH THE ACQUISITION  
12 CONSTRUCTION AND EQUIPPING OF THE PROJECT

13 WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is  
14 authorized by I.C. Sec. 36-7-12 (the "Act") to issue revenue  
15 bonds for the financing of economic development facilities, the  
16 funds from said financing to be used for the acquisition,  
17 construction and equipping of said facilities, and said facili-  
18 ties to be either sold or leased to another person or directly  
19 owned by another person; and

20 WHEREAS, Engle Associates, a General Partnership (the  
21 "Applicant") has advised the Fort Wayne Economic Development  
22 Commission and the Issuer that it proposes that the Issuer  
23 acquire and equip an economic development facility and sell  
24 and/or lease the same to the Applicant or loan proceeds of  
25 an economic development financing to the Applicant for the same,  
26 said economic development facility to be construction of a  
27 29,000 sq. ft. manufacturing and research facility together  
28 with real estate and fixtures together with costs of issuance,  
29 said facility to be leased to the company or a consolidated,  
30 merged, or successor to the company whose balance sheet is  
31 attached to the Application to the Fort Wayne, Indiana Economic  
32 Development Commission, said facility to be located at 4505  
Clubview Drive, Fort Wayne, Indiana (the "Project"); and

WHEREAS, the diversification of industry and an increase in  
30 full time jobs initially and 45 full time jobs within three  
years to be achieved by acquisition and construction and equipping



1 of the Project will be of public benefit to the health, safety  
2 and general welfare of the Issuer and its citizens; and

3 WHEREAS, having received the advice of the Fort Wayne  
4 Economic Development Commission, it would appear that the  
5 financing of the Project would be of public benefit to the  
6 health, safety and general welfare of the Issuer and its  
7 citizens; and

8 WHEREAS, the acquisition and construction of the faci-  
9 lity will not have an adverse effect on any similar facility  
10 already constructed or operating in or about Fort Wayne,  
11 Indiana.

12 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF  
13 THE CITY OF FORT WAYNE, INDIANA:

14 SECTION 1. The Common Council finds, determines, rati-  
15 fies and confirms the promotion of diversification of economic  
16 development and job opportunities in and near Fort Wayne,  
17 Indiana and in Allen County, is desirable to preserve the  
18 health, safety and general welfare of the citizens of the  
19 Issuer; and that it is in the public interest that Fort Wayne  
20 Economic Development Commission and said Issuer take such action  
21 as it lawfully may to encourage diversification of industry and  
22 promotion of job opportunities in and near said Issuer.

23 SECTION 2. The Economic Development Commission in  
24 recommending the project, found specifically that the project  
25 will not have an adverse competitive effect on similar facilities  
26 already constructed or operating in Allen County, Indiana, and  
27 the Common Council has also held a hearing and specifically finds  
28 that the project will not have an adverse competitive effect on  
29 similar facilities already constructed or operating in Allen  
30 County, Indiana.

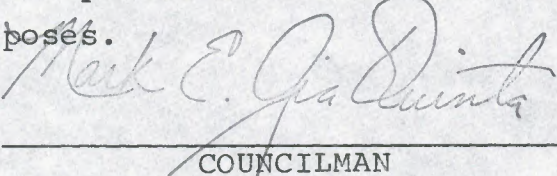
31 SECTION 3. The Common Council further finds, deter-  
32 mines, ratifies and confirms that the issuance and sale of reve-




1 nue bonds in an amount not to exceed \$630,000.00 of the Issuer  
2 under the Act for the acquisition, construction and equipping  
3 of the Project and the sale or leasing of such a financing to  
4 the Applicant for such purposes will serve the public purpose  
5 referred to above, in accordance with the Act..

6 SECTION 4. In order to induce the Applicant to proceed  
7 with the acquisition, construction and equipping of the Project,  
8 the Common Council hereby finds, determines, ratifies and con-  
9 firms that (i) it will take or cause to be taken such actions  
10 pursuant to the Act as may be required to implement the afore-  
11 said financing, or as it may deem appropriate in pursuance  
12 thereof, provided that all of the foregoing shall be mutually  
13 acceptable to the Issuer and the Applicant; and (ii) it will  
14 adopt such ordinances and resolutions and authorize the execu-  
15 tion and delivery of such instruments and the taking of such  
16 action as may be necessary and advisable for the authorization,  
17 issuance and sale of said economic development bonds.

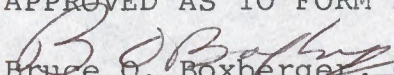
18 SECTION 5. All costs of the Project incurred after the  
19 passage of this Inducement Resolution, including disbursement or  
20 repayment of the Applicant of monies expended by the Applicant  
21 for planning, engineering, interest paid during construction,  
22 underwriting expenses, attorney and bond counsel fees, acquisi-  
23 tion, construction and equipping of the Project will be per-  
24 mitted to be included as part of the bond issue to finance said  
25 Project, and the Issuer will thereafter either sell or lease the  
26 same to the Applicant or loan the proceeds of such financing to  
27 the Applicant for the same purposes.

  
COUNCILMAN

28 ADOPTED BY ECONOMIC DEVELOPMENT COMMISSION  
29 AND APPROVED AS TO FORM.

30   
31 John J. Wernet, Attorney for the  
32 Economic Development Commission  
Dated this 26<sup>th</sup> day of Nov, 1984

APPROVED AS TO FORM AND LEGALITY.

  
Bruce O. Boxberger, City Attorney  
Dated this 26<sup>th</sup> day of Nov, 1984



Read the first time in full and on motion by GiaQuinta,  
seconded by Stier, and duly adopted, read the second time  
by title and referred to the Committee Finance (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ .M., E.S.

DATE: 11-27-84

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by GiaQuinta,  
seconded by Stier, and duly adopted, placed on its  
passage. PASSED ~~(LOST)~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 12-11-84

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as ~~(ANNEXATION)~~ (APPROPRIATION) ~~(GENERAL)~~  
~~(SPECIAL)~~ ~~(ZONING MAP)~~ ORDINANCE (RESOLUTION) NO. 9-145-84  
on the 11th day of December, 1984,

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Ray A. Ebert  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,  
on the 12th day of December, 1984,  
at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 12 day of December,  
1984, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR



BILL NO. R-84-11-41

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN  
~~ORDINANCE~~ A RESOLUTION FINDING, DETERMINING AND RATIFYING AN  
INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION  
AUTHORIZING THE ISSUANCE AND SALE OF \$630,000.00 ECONOMIC REVENUE  
BONDS OF THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING  
THE APPLICANT ENGLE ASSOCIATES, A GENERAL PARTNERSHIP TO PROCEED WITH  
THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE PROJECT

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

MARK E. GIAOUINTA, CHAIRMAN

JAMES S. STIER, VICE CHAIRMAN

JANET G. BRADBURY

THOMAS C. HENRY

DONALD J. SCHMIDT

12-11-84  
CONCURRED IN  
SANDRA E. KENNEDY, CITY CLERK